

EXHIBIT 84

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, et al.

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official capacity
as SECRETARY OF THE U.S. DEPARTMENT OF
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-00196

SUPPLEMENTAL DECLARATION OF JOHN DOE 7

I, John Doe 7, hereby declare:

1. I am over the age of 18, competent to testify as to the matters herein, and make this declaration based on my personal knowledge and the records of the Center for Tobacco Products (CTP), within the U.S. Food Drug & Administration (FDA), to which I have access.

2. I previously submitted a declaration in this matter. It is in the docket as ECF No. 55-8. I reincorporate and restate the matter in that declaration.

3. I am submitting this declaration pseudonymously because I fear retaliation. But if the Court would like to know my name or job position, I would be willing to provide it ex parte and under seal.

4. Since my declaration dated May 19, 2025, some staff at CTP in the Office of Regulations, Office of Compliance and Enforcement, Office of Management, and Office of Health Communication were reinstated, by which I mean they were returned to active status and their initial RIF notices were rescinded.

5. Roughly 130 staff at CTP have not had their initial RIF notice rescinded since the July 1, 2025 Preliminary Injunction and remain on administrative leave or on active status pending final separation. This includes the Division of Human Capital, Acquisition and Assistance staff, Information and Technology (IT) staff, Management and Logistics staff, Management Analysis Team, Division of Public Health Education, and Division of External Programs and Resource Management.

6. At least two groups that have been reinstated, the Division of Financial Management and the Freedom of Information Act (FOIA) group, were moved out of CTP involuntarily on a “temporary” detail to perform work reporting to non-CTP personnel within FDA. Employees from the Division of Financial Management have been involuntarily detailed to perform some non-tobacco budget execution work for the FDA’s Center for Devices and Radiological Health (CDRH), which was previously funded by medical device user fees. Their work detail is currently categorized as “non-reimbursable” wherein their salary will not be reimbursed by other funding sources despite performing work required to be funded by those sources. Rather, their salaries and benefits are still paid for out of CTP’s budget, which is funded by tobacco user fees.

7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED and SIGNED this 24th day of July 2025 at 7:53 A.M.


John Doe 7
Center for Tobacco Products
Food & Drug Administration